

Officer History

Officer Name: Morales, Rafael

Tax ID: [REDACTED]

Sex: M

Shield: 14062

Race: [REDACTED]

Rank: POM

Command: 267

DOB: [REDACTED]

Appt Date: 07/09/2007

Age: [REDACTED]

Tenure: 13

CCRB #	Report Date	Incident Date	Allegation	Disposition	NYPD Disposition	NYPD Penalty	Command
200918825	12/09/2009	12/03/2009	Abuse - Refusal to provide name/shield number	Unsubstantiated			044
201203839	03/26/2012	03/21/2012	OMN - Failure to prepare a memo book entry	Other Misconduct			044
201211813	09/12/2012	09/09/2012	OMN - Failure to prepare a memo book entry	Other Misconduct			044
201310824	11/18/2013	11/16/2013	OMN - Failure to prepare a memo book entry	Other Misconduct			044
	11/18/2013	11/16/2013	Abuse - Vehicle stop	Unsubstantiated			044
201401872	02/26/2014	02/25/2014	Abuse - Vehicle stop	Unsubstantiated			044
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]
	02/26/2014	02/25/2014	OMN - Failure to prepare a memo book entry	Other Misconduct			044
	02/26/2014	02/25/2014	Abuse - Vehicle search	Unsubstantiated			044
201405143	05/27/2014	05/24/2014	Abuse - Vehicle search	Unsubstantiated			044
	05/27/2014	05/24/2014	Abuse - Search (of person)	Unsubstantiated			044
	05/27/2014	05/24/2014	Abuse - Frisk	Unsubstantiated			044
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]			[REDACTED]
	[REDACTED]	[REDACTED]		[REDACTED]			[REDACTED]
201602335	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]
	03/21/2016	03/04/2016	OMN - Failure to prepare a memo book entry	Other Misconduct			044
	03/21/2016	03/04/2016	Abuse - Vehicle stop	Unsubstantiated			044
201609960	12/02/2016	11/26/2016	Abuse - Frisk	Substantiated (Charges)	APU Guilty	Forfeit vacation 7 days	044

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Shield: 14062

Race: [REDACTED]

Rank: POM

Command: 267

DOB: [REDACTED]

Appt Date: 07/09/2007

Age: [REDACTED]

Tenure: 13

CCRB #	Report Date	Incident Date	Allegation	Disposition	NYPD Disposition	NYPD Penalty	Command
201609960	12/02/2016	11/26/2016	OMN - Failure to prepare a memo book entry	Other Misconduct			044
	12/02/2016	11/26/2016	OMN - Failure to produce stop and frisk report	Other Misconduct			044
	12/02/2016	11/26/2016	Abuse - Stop	Substantiated (Charges)	APU Guilty	Forfeit vacation 7 days	044
	12/02/2016	11/26/2016	Abuse - Search (of person)	Substantiated (Charges)	APU Guilty	Forfeit vacation 7 days	044
201701844	03/09/2017	03/08/2017	Abuse - Vehicle search	Unsubstantiated			044
Total Charges = 25				Total Cases = 11			

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: [REDACTED]	Team: Team # 5	CCRB Case #: 201203839	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Wed, 03/21/2012 9:20 PM	Location of Incident: West 168th Street and Ogden Avenue; 44th Precinct stationhouse		Precinct: 44	S.O.L. Expires: 09/21/2013	
Date/Time CV Reported Mon, 03/26/2012 1:08 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Mon, 03/26/2012 1:08 PM		

Complainant/Victim	Type	Home Address
1. [REDACTED]	Reporting Non-Witness	[REDACTED]
2. [REDACTED]	Comp/Victim	[REDACTED]
3. [REDACTED]	Victim	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
[REDACTED]			[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]			[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
5. POM Rafael Morales	14062	[REDACTED]	044 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Officer(s)	Allegation	Investigator Recommendation
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
G . POM Rafael Morales	Other: PO Rafael Morales failed to prepare a memo book entry as required.	G . Other Misconduct

Case Summary

On March 26, 2012, [REDACTED] filed a complaint via the CCRB website on the behalf of her nephew [REDACTED] (Encl. 3A-D). Ms. [REDACTED] did not witness the incident. On April 30, 2012, Mr. [REDACTED] called IAB and filed a complaint in regards to the same incident, which was subsequently forwarded to the CCRB on May 10, 2012, via IAB log # 12-23556 (Encl. 5E).

At approximately 9:20 p.m. on March 21, 2012, Mr. [REDACTED] and his friend [REDACTED] were arrested at West 168th Street and Ogden Avenue in the Bronx. The following allegations resulted:

- [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]

- **Allegation G – Other Misconduct – PO Rafael Morales failed to prepare a memo book entry as required.**

PO [REDACTED] and PO Morales failed to prepare memo book entries in regards to this incident as required by Patrol Guide procedure 212-08. It is therefore recommended that **PO Rafael Morales** and **PO [REDACTED]** be cited for **Other Misconduct**.

Results of Investigation

Complainant/Victim: [REDACTED]

- [REDACTED]
[REDACTED]
[REDACTED]

Statement to Medical Provider

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

CCRB Testimony

On May 1, 2012, [REDACTED] was interviewed at the CCRB (Encl. 5F-L). His statement was largely

consistent with his telephone statement, provided on April 16, 2012 (Encl. 5D), and his IAB complaint, filed on April 30, 2012 (Encl. 5E). At approximately 9:00 p.m. on March 21, 2012, Mr. [REDACTED] and his friend [REDACTED] left Mr. [REDACTED] house at West 168th Street and Nelson Avenue, in the Bronx. They walked to West 168th Street and Ogden Avenue, where they observed a fight, involving approximately 10 individuals. Mr. [REDACTED] did not recognize any of participants and denied having been involved in the fight in any way. Mr. [REDACTED] and Mr. [REDACTED] proceeded to enter a deli at the intersection, where they ordered food and watched a sports game on TV.

About ten minutes after entering the deli, Mr. [REDACTED] observed a large crowd of people running past the deli. About two minutes later, a marked police car pulled up in front of the deli. Mr. [REDACTED] saw an officer, identified via the investigation as Lt. [REDACTED] whom he described as [REDACTED] exit the marked car. Lt. [REDACTED] walked to the door of the deli and began looking around. About three minutes later, an unidentified officer, who Mr. [REDACTED] described as [REDACTED] entered the deli as well. The investigation was unable to identify this officer. The [REDACTED] officer approached Mr. [REDACTED] and Mr. [REDACTED] and asked them to step outside, which they did. When they exited the store, another marked police car dove up. Two female civilians, identified via the investigation as [REDACTED] and [REDACTED], whom Mr. [REDACTED] had never seen before, were sitting in the rear. The two females pointed to Mr. [REDACTED] and Mr. [REDACTED] and a group of officers quickly approached them. The [REDACTED] officer told Mr. [REDACTED] to get up against the wall, which he did, and then grabbed Mr. [REDACTED] arm, twisted it behind his back, and handcuffed him. Mr. [REDACTED] did not resist the [REDACTED] officer's attempts to handcuff him. Mr. [REDACTED] lost sight of Mr. [REDACTED] but he could hear him protesting the arrest. Mr. [REDACTED] began "tussling" with an unidentified officer and the rest of the officers tackled Mr. [REDACTED] to the ground and handcuffed him. Mr. [REDACTED] acknowledged that Mr. [REDACTED] was "resisting" the officers' attempt to arrest him.

Mr. [REDACTED] was placed in the back of a marked police car by an unidentified plainclothes officer, whom he described as [REDACTED]. The investigation was unable to identify this officer. Mr. [REDACTED] attempted to dispute his arrest with the [REDACTED] officer, but the officer merely replied, "Get in the car." In his telephone statement Mr. [REDACTED] alleged that the [REDACTED] officer told him to "shut the fuck up" at the scene of his arrest but made no such allegation in his sworn statement. Two unidentified uniformed officers, whom Mr. [REDACTED] described as [REDACTED] and [REDACTED] drove Mr. [REDACTED] to the 44th Precinct stationhouse. Mr. [REDACTED] argued with the officers and one of the two officers, Mr. [REDACTED] was not sure which one, told him to "shut the fuck up."

The officers parked the marked car at the rear of the 44th Precinct stationhouse. When Mr. [REDACTED] exited, the [REDACTED] officer and the [REDACTED] officer were waiting at the rear entrance to the stationhouse. Mr. [REDACTED] repeated his protests, stating that he hadn't done anything. The [REDACTED] officer told him to "shut the fuck up." When Mr. [REDACTED] began walking up the steps that led to the rear entrance of the stationhouse, the [REDACTED] officer stuck his foot in front of Mr. [REDACTED] foot. Mr. [REDACTED] tripped over the foot and his head struck a nearby wall. As Mr. [REDACTED] regained his balance and continued walking up the stairs, the [REDACTED] officer stuck his foot out again and again Mr. [REDACTED] tripped over it. This time Mr. [REDACTED] fell to the ground, striking his face on the stairs. When Mr. [REDACTED] turned over his body onto his back to face the officers, the [REDACTED] officer reached down and wrapped one hand around the front of Mr. [REDACTED] throat. He had his hand around Mr. [REDACTED] throat for approximately five to ten seconds. Mr. [REDACTED] began to feel light-headed and short of breath but did not pass out. After the [REDACTED] officer released Mr. [REDACTED] throat, he and the [REDACTED] officer grabbed Mr. [REDACTED] biceps and picked him up.

The [REDACTED] officer and the [REDACTED] officer walked Mr. [REDACTED] into the stationhouse. Inside the stationhouse, the officers began “dragging” Mr. [REDACTED] by his arms, with one officer on either side. Mr. [REDACTED] explained that the bottom of his feet were the part of his body dragging along the ground. Mr. [REDACTED] saw Mr. [REDACTED] in front of the main desk. As the officers took him past Mr. [REDACTED] Mr. [REDACTED] asked him if he was alright, and Mr. [REDACTED] responded that he was okay. The [REDACTED] officer and the [REDACTED] officer then “dragged” Mr. [REDACTED] through a narrow hallway, approximately five feet wide. The officers intentionally pushed Mr. [REDACTED] into the walls of the hallway approximately five to seven times, hitting him in the head and shoulders.

Mr. [REDACTED] was taken to a holding cell in the rear of the stationhouse. There, the [REDACTED] officer and the [REDACTED] officer pushed Mr. [REDACTED] into the bars, hitting his left temple. The [REDACTED] officer and the [REDACTED] officer took him into the cell and unhandcuffed him, causing Mr. [REDACTED] to fall on the floor. Mr. [REDACTED] then felt approximately three times kicks in the back and stomach. The kicks came one at a time, and seemed to be coming from different people each time. Mr. [REDACTED] stated that the [REDACTED] officer, the [REDACTED] officer and the [REDACTED] officer who transported him to the stationhouse were in the cell with him at this time. Mr. [REDACTED] then heard of the officers say, “nigger.” In his telephone statement Mr. [REDACTED] stated that the [REDACTED] officer made this utterance but in his sworn statement he stated that he did not know which of the officers said this.

Mr. [REDACTED] suffered bruises to his face and shoulder, and pain in his wrist and back. The officers who took Mr. [REDACTED] to central booking asked him if he wanted to go to the hospital, but Mr. [REDACTED] refused to go. Mr. [REDACTED] stated that on March 22, 2012, went to Lincoln Medical Center. It was determined via the investigation that he went to Lincoln Medical Center on March 24, 2012, not March 22, 2012.

Notice of Claim

[REDACTED]
[REDACTED]
[REDACTED]

Arrest Photograph

[REDACTED]
[REDACTED]

Victim: [REDACTED]

[REDACTED]
[REDACTED]

CCRB Testimony

Mr. [REDACTED] called the CCRB on July 17, 2012, in response to previous attempts to contact him and provided the following telephone statement (Encl. A). Mr. [REDACTED] and Mr. [REDACTED] went to store located at West 168th Street and Ogden Avenue to buy bread for Mr. [REDACTED] mother. Approximately 15 to 20 minutes after they entered the store, an unidentified plainclothes officer, described by Mr. [REDACTED] as [REDACTED] entered the store and told them to exit. The investigation was unable to identify this officer. As soon as Mr. [REDACTED] and Mr. [REDACTED] exited the store, two Hispanic females, identified via the investigation as [REDACTED] and [REDACTED], whom Mr. [REDACTED] had never seen before, and whom were sitting in a marked car at the scene, began pointing at Mr. [REDACTED] and Mr. [REDACTED]. Mr. [REDACTED] then felt four officers, who he could not see, grab him from behind and “throw” him to ground. Mr. [REDACTED] and Mr. [REDACTED] were then arrested.

Mr. [REDACTED] and Mr. [REDACTED] were transported to the 44th Precinct stationhouse in separate cars. Mr. [REDACTED] was transported into the stationhouse through the front door. While he was at the desk, he heard and then saw a screaming Mr. [REDACTED] being brought in via the back door to the stationhouse by an unidentified officer, whom he described as [REDACTED]

[REDACTED] The [REDACTED] officer pushed Mr. [REDACTED] to the ground in front of a staircase and then used one hand to choke Mr. [REDACTED] for approximately one-and-a-half minutes. Mr. [REDACTED] appeared to be having difficulty breathing. There were several officers around but none of them reacted. After the [REDACTED] officer stopped choking Mr. [REDACTED] he was taken to the rear of the stationhouse and Mr. [REDACTED] could no longer see or hear him.

Attempts to Contact Civilians

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

NYPD Statement(s):

Subject Officer: LT. [REDACTED]

- [REDACTED]
[REDACTED]
[REDACTED]

Memo Book

[REDACTED]
[REDACTED]
[REDACTED]

CCRB Testimony

[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Witness Officer: PO [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

Memo Book

[REDACTED]

Arrest Reports
Complaint Reports

[REDACTED]
[REDACTED]
[REDACTED]

CCRB Testimony

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
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[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject Officer: PO [REDACTED]

- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
[REDACTED]

Memo Book

[REDACTED]

CCRB Testimony

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

Subject Officer: PO RAFAEL MORALES

- [REDACTED]
- *PO Morales worked from 5:30 p.m. on March 21, 2012, to 2:05 a.m. on March 22, 2012. He was in plainclothes and assigned to a 44th Precinct anti-crime team with PO [REDACTED] and Sgt. [REDACTED] in unmarked vehicle #652, a tan or beige Ford Fusion.*

Memo Book

PO Morales had no memo book entries regarding this incident (Encl. 7BB-CC).

CCRB Testimony

On March 8, 2013, PO Morales was interviewed at the CCRB (Encl. 7DD-FF). PO Morales' statement was generally consistent with that of PO [REDACTED]. The differences have been noted below. When PO Morales, PO [REDACTED] and Sgt. [REDACTED] arrived at the scene, they were asked by Sgt. [REDACTED] to stop the two males who had walked into the bodega. PO Morales entered the bodega and asked the two males identified by Sgt. [REDACTED], Mr. [REDACTED] and Mr. [REDACTED] to step out of the store. Mr. [REDACTED] and Mr. [REDACTED] complied and walked out of the bodega. Two to three minutes later, a marked RMP brought Ms. [REDACTED] and Ms. [REDACTED] to the scene and they positively identified Mr. [REDACTED] and Mr. [REDACTED]. PO Morales then handcuffed either Mr. [REDACTED] or Mr. [REDACTED] he was unsure which one. After Mr. [REDACTED] and Mr. [REDACTED] were handcuffed, they were placed in a patrol car and transported back to the 44th Precinct stationhouse. PO Morales was not involved in transporting either of them to the stationhouse, and did not know who transported them to the stationhouse. PO Morales then resumed patrol. He did not return to the stationhouse, and did not have any interactions with Mr. [REDACTED] or Mr. [REDACTED] at the stationhouse.

Witness Officer: PO [REDACTED]

- [REDACTED]
- [REDACTED]

Memo Book

[REDACTED]

CCRB Testimony

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Medical Records

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

NYPD Document(s)

SPRINT # W14900 and Corresponding 911 and Radio Recordings

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Command Log

[REDACTED]

Roll Call

[REDACTED]

Summons/Arrest for Incident and Disposition

- [REDACTED]

Status of Civil Proceedings

- [REDACTED]

Civilian(s) Criminal History

- [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]

Civilian(s) CCRB History

- [REDACTED]

Subject Officer(s) CCRB History

- [REDACTED]
- PO Morales has been a member of the service for 5 years and there are no substantiated CCRB allegations against him (Encl. 2C).
- [REDACTED]

[REDACTED]

Conclusion

Identification of Subject Officer(s)

[REDACTED]

Allegations Not Pleaded

[REDACTED]

Investigative Findings and Recommendations

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Allegation G – Other Misconduct – PO Rafael Morales failed to prepare a memo book entry as required.

Patrol Guide procedure 212-08 (Encl. 1L-N) requires officers to make notation for all assignments received and tasks performed while on duty. PO [REDACTED] and PO Morales failed to prepare memo book entries in regards to this incident as required by Patrol Guide procedure 212-08. It is therefore recommended that **PO Rafael Morales** and **PO [REDACTED]** be cited for **Other Misconduct**.

Team: 5

Investigator: _____  April 15, 2013
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date